

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

KARLIS RUBEN AUGUSTUS  
HOWARD,

Plaintiff,

v.

HEATHER SHIRLEY, et al.,

Defendants.

Case No. 1:24-cv-00387-HBK (PC)

ORDER FINDING PLAINTIFF'S MOTION  
FOR SUBPOENA MOOT

(Doc. No. 17)

Pending before the Court is Plaintiff's motion for subpoena filed September 6, 2024. (Doc. No. 17). Plaintiff, a prisoner, is proceeding pro se on his First Amended Complaint ("FAC") as screened. (Doc. Nos. 8, 10, 12). Liberally construed, Plaintiff requests the Court to issue subpoenas on his behalf so he may obtain the addresses for each of the Defendants to effectuate personal service on the Defendants under Federal Rule of Civil Procedure 4. (*See generally* Doc. No. 17).

On August 27, 2024, the Court directed service on Defendants. (Doc. No. 13). On September 9, 2024, counsel for Defendants timely filed Notice of E-Service Waiver indicating Defendants' intent to waive personal service. (Doc. No. 18). Defendants' waivers of service is due on or before October 9, 2024. Thus, personal service of process on the Defendants is not

1 necessary.

2 Accordingly, it is ORDERED:

3 Plaintiff's motion for subpoena (Doc. No. 17) is DENIED as MOOT.  
4

5 Dated: September 19, 2024

  
HELENA M. BARCH-KUCHTA  
UNITED STATES MAGISTRATE JUDGE